

Notice of Allowability

Application No.

10/528,138

Examiner

Ruth C. Rodriguez

Applicant(s)

ROY, FRANCIS

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 20 April 2007.
2. ☒ The allowed claim(s) is/are 10-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 10, line 15, "lug" has been replaced with --lugs--.

Claim 10, line 17, "button" has been replaced with --buttons--.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: International Patent Document WO 93/1486 discloses a device for fastening a watch strap to a watch case comprising a hinge pin integral with an end of the watch strap and extending from the watch strap in a first direction, a fastening element attached to or integrated to the watch case provided with two lugs defining between them a space to receive the hinge pin. Each of these lugs comprising an axial recess leading to the space. Each of the axial recesses houses an endstone mounted in a sliding manner in the recess and bearing a push button attached to an external end of the endstone. The hinge pin comprising on a lateral face an annular housing having a groove defining an

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advantageous orientation. The annular housing receiving a protrusion located on the lug. The button must be pushed and simultaneously the strap must be in the advantageous orientation with respect to the hinge pin for a user to fasten or remove the watch strap from the watch case. Although WO '486 fails to disclose that the hinge pin is integral with the watch case and that the fastening device is attached to or integrated to an end of the watch strap provided with two lugs, however, it would have been obvious to one having ordinary skill in the art at the time of Applicant's invention to provide the device with the hinge pin being integral with the watch case and the fastening device being attached to or integrated to an end of the watch strap provided with two lugs because it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, 8 USPQ 167. Nonetheless, WO '486 still fails to disclose that the annular housing opens radially outward through a groove in a second direction transverse to the first direction in such a way that the protrusion can only enter and exit the annular housing through the groove when the buttons are pushed and the end of the strap is extended simultaneously in the second direction. Accordingly, it would not have been obvious to one having ordinary skill in the art at the time the invention was made to have the annular housing opening radially outward through a groove in a second direction transverse to the first direction in order to have the protrusion entering and exiting the annular housing only through the groove when the buttons are depressed and the end of the strap is extended in the second direction especially since WO '486 fails to disclose any particular orientation for the engagement and disengagement of the case and the band. WO '486 only discloses

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that ramped surfaces 15 serve to facilitate entrance of the hinge pin into the space but does not require a particular orientation of the band and the case in order to have the protrusion entering or exiting the annular housing only through the groove.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gaylord (US 2,870,509 and US 2,992,467), Gay (US 4,716,631), Howald (US 6,014,793), Wild (US 6,401,307 B1), Nussbaum (US 6,923,593 B2), European Patent Document EP 0 133 068 A1, Swiss Patent Document CH 664 663 G A3, International Patent Document WO 93/10486, British Patent Document UK 2 264 628 A and UK 2 297 236 A and French Patent Document FR 2 743 641 are cited to show state of the art with respect to hinge pins having similar features to the ones being claimed in the current application and some having a fastening system for used with the hinge pins.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C. Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.


Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez
Patent Examiner
Art Unit 3677

rcr
April 30, 2007


J. J. SWANN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600